

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JULIA ROBINSON, et al.)	
)	
Plaintiffs,)	
)	CASE NO. 1:23-cv-05655-MHC
v.)	
)	
THE UNITED STATES OF AMERICA,)	
et al.,)	
)	
Defendants.)	

**DEFENDANT MARIANA DANET, M.D.’S MEMORANDUM IN SUPPORT
OF MOTION TO DISMISS, OR IN THE ALTERNATIVE, FOR MORE
DEFINITE STATEMENT**

COMES NOW, Defendant Mariana Danet, M.D. (“Defendant” or “Dr. Danet”), Defendant in the above-captioned matter, and files this Memorandum in Support of Motion to Dismiss, or in the Alternative, for More Definite Statement, showing the Court as follows:

I. INTRODUCTION

This is a *pro se* action in which Plaintiff filed a 148 page Complaint seeking \$500,000,000.00 in damages against thirty defendants, including various federal agencies and agents, rental car companies, cellular telephone companies, persons and entities. (Doc. 1). Upon information, Plaintiff has also been party to multiple other similarly filed and dismissed suits in this Court. *See Robinson v. The United*

States of America et al., filed 08/04/22, 1:22-cv-03080-MHC; *Robinson v. United States of America et al.*, filed 01/04/23, 1:23-cv-00043-MHC; *Robinson v. United States of America et al.*, filed 03/17/23, 1:23-cv-01161-MHC.

II. LAW AND ARGUMENT

In the interest of efficiency, Defendant adopts and incorporates herein by reference the argument set forth in Argument Sections II (Failure to State a Claim) and III (Lack of Standing) of Defendant Florida Atlantic University's Brief in Support of Motion to Dismiss filed on March 24, 2024. (Doc. 22-1 at 7-13).

Further, pursuant to Federal Rules of Civil Procedure Rule 12(e), where a pleading is "so vague and ambiguous that the party cannot reasonably prepare a response[]", a party may move for a more definite statement. Fed. R. Civ. Pro. R. 12(e); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).

Plaintiffs' Complaint contains a litany of repetitive verbiage without any coherent substance. (Doc. 1). Specifically, Plaintiff fails to plead a short and plain statement of the grounds for the Court's jurisdiction over the claims against Dr. Danet and fails to plead a short and plain statement of the claims showing they are entitled to relief against Dr. Danet. *See* Fed. R. Civ. Pro. R. 8 (a)(1) and (2). Plaintiff's Complaint fails to state why venue in this Court is proper. Plaintiff's

Compliant fails to identify a date (or dates) of treatment or location of treatment rendered by Dr. Danet, fails to state whether Plaintiffs' claims against Dr. Danet are 42 U.S.C. §1983 or state law (or both) claims, fails delineate with any specificity what acts or omissions Dr. Danet committed, and fails to delineate a relationship between Dr. Danet's acts or omissions and any injury and damages to Plaintiffs.

Plaintiffs' failure to include the above-referenced information renders it impossible for Dr. Danet to determine if, when or where Dr. Danet treated Plaintiffs and whether Defendant has additional grounds for dismissal, including Rule 12(b) and statute of limitations grounds. As such, if not dismissed, Plaintiffs must plead their claims in a coherent fashion and provide the information requested above so Defendant may move or plead in response.

III. CONCLUSION

Plaintiffs' Complaint must be dismissed for failing provide fair notice of the claims and grounds for them. Additionally, in accord with 28 U.S.C. § 1654, Plaintiff Julia Robinson lacks standing to bring an action on behalf of her minor child, and as such, the minor's claims must be dismissed. In the event Plaintiffs' claims are not dismissed, Defendant respectfully requests the Court grant Defendant's Motion for More Definite Statement.

Respectfully submitted, this 29th day of March 2024.

/s/ Amy M. Hoffman
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LOCAL RULE 7.1D CERTIFICATE

I certify that the foregoing brief conforms to the requirements of L.R.5.1D.

The brief has been prepared with 14-point Times New Roman font and does not contain more than 10 characters per inch of type.

/s/ Amy M. Hoffman
Amy M. Hoffman
Georgia Bar No. 359606

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing to the Clerk of Court using the CM/ECF system which will automatically send electronic mail notification of such filing to all counsel of record:

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The undersigned further certifies that on this day a true and correct copy of the foregoing was sent to the following parties of record via U.S. Mail, postage paid and addressed as follows:

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Pro Se Plaintiffs

This 28th day of March 2024.

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